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Are the Soviets cheating?

SALT SHAKERS

PRESIDENT REAGAN'S declaration of June 10 that the United States will continue to abide by SALT II at least until the end of the year deepens rather than resolves the controversy over Soviet cheating on arms control agreements. Reagan's announcement, like many previous statements from the administration, accused the Soviet Union of violating nuclear arms agreements. And it makes future U.S. compliance contingent on the correction of the alleged violations. Reagan said he intends to reconsider the issue in December after the Pentagon submits a report on U.S. options in response to continuing Soviet violations. Given Reagan's view that at least one of the Soviet violations is "irreversible," it seems likely that he will find the Soviets guilty as charged. And if Reagan remains true to his word, that will spell the end of full U.S. adherence to SALT II, and may even lead to complete renunciation of the treaty.

Three allegations of Soviet cheating lie at the heart of the present controversy. In each case the Soviet Union is probing gray areas in the SALT agreements in ways the United States finds unacceptable. In each case some ambiguity remains about whether the Soviets' actions constitute treaty violations, and in each case there is a grain of plausibility to the Soviets' justification for their behavior.

The most serious compliance issue involves a large radar station under construction near Krasnoyarsk, a city in central Siberia. According to public reports about classified intelligence data, this installation appears to be capable of detecting attacking American missiles fired from Trident submarines. If so, it is a clear violation of Article VI (b) of the 1972 ABM Treaty, which permits early warning radars to be built only on the periphery of the country and facing outward. Since Krasnoyarsk is hundreds of kilometers from the Soviet Union's borders, there is no way that this radar can be construed as being "on the periphery."

The complication is that large radar stations can serve other important functions besides early warning. They are essential for what is known as battle management, that is, targeting incoming warheads for antiballistic missile forces; they can track satellites in space; and they monitor missile tests. The ABM Treaty sought to limit the battle management capabilities of early warning radars by limiting their location to the periphery, while permitting the space-tracking and intelligence activities. In fact, an appendix to the ABM Treaty of 1972 known as Agreed Statement F specifically exempts radars for those purposes from the provisions of the agreement. In effect, there is a defect in the treaty. Agreed Statement F contradicts Article VI by providing legal grounds for deploying large phased-array radars in the interior of the country.

The Soviets have exploited this loophole. They insist that the Krasnoyarsk facility will track satellites, and argue further that its dedication to this purpose will become clearer as time goes by. However, even arms control advocates critical of the Reagan administration find the Soviet story to be dubious, since the published reports on Krasnoyarsk indicate that the new facility closely resembles existing Soviet early-warning radar stations. If the United States were to accept the Soviet position, the Soviets could establish a network of similar radar stations throughout the country. This would undercut the 1972 ABM Treaty, which aimed at blocking the construction of ABM systems by either superpower. Even if the Soviets have found a legal loophole that permits the Krasnoyarsk installation, their interpretation is and should be unacceptable to the U.S.

The Krasnoyarsk radar station, though, is not an insurmountable issue. It alone can provide only a small portion of the coverage needed to make a Soviet ABM system effective. For example, U.S. ICBMs headed for the Soviet Union would go over the the North Pole, an area that the Krasnoyarsk station cannot cover. U.S. security is not appreciably affected by the station.

IN A DIFFERENT political climate, the Standing Consultative Commission could be employed to close the loophole. The commission was set up as part of SALT I to clarify the line between permitted and prohibited activities. If serious discussions about Krasnoyarsk were taking place, the commission could conceivably amend the treaty to allow both sides to deploy one and only one large phased-array radar in the interior of the country. This would allow the United States to match Krasnoyarsk if it so desired, while eliminating the open-ended loophole offered by Agreed Statement F. Such an outcome would certainly be preferable to the present situation.

But the superpowers are not seriously addressing the Krasnoyarsk issue. Reagan counts Krasnoyarsk as a clear-cut violation and considers it to be an indication of Soviet interest in breaking out of the ABM Treaty. The Soviets view the administration's allegations as a transparent attempt to justify the abandonment of the ABM Treaty in order to pursue the Strategic Defense Initiative. They refuse, even within the official channels of the SCC, to address the legitimate U.S. concerns. There is no sign that this standoff—already two years old—will be resolved before the Reagan reevaluation in December.

THE SECOND compliance issue centers on a new missile known as the SS-X-25. The SALT II agreement included a provision that allows both sides to test and deploy only one new type of intercontinental ballistic missile. Late in 1982 Moscow announced it was testing its new type of ICBM; the U.S. monitored these tests, and labeled the new missile (which carried several warheads) the SS-

X-24. But some months later, American intelligence detected flight tests of another missile carrying only one warhead. This missile was designated the SS-X-25. Obviously, to test two new types of ICBM when only one is permitted would be a clear violation of the SALT II agreement. SALT II, however, does allow modernization of existing types of ICBMs, provided there is no change in the number of stages and the fuel type and that the length, diameter, launchweight, and throwweight of the missile are not modified by more than five percent. The Soviets claim that the SS-X-25 is merely the modernized (and therefore permissible) version of an existing missile, the SS-13, that they have deployed for years.

The Reagan administration insists that SS-X-25 differs from its predecessor by more than five percent (by exactly how much, no one has said publicly). The problem is that the SS-13 is an older missile, developed in the 1960s and deployed only in limited number. The Arms Control Association, a private pro-SALT educational group, reported last year that the U.S. has less solid intelligence about the SS-13 than it does about more recent and more important Soviet missiles. Moscow argues that U.S. intelligence underestimated the capabilities of the SS-13, which now means they exaggerate the difference between it and the SS-X-25.

Unlike the Krasnoyarsk controversy, which is the result of a treaty loophole, the SS-X-25 issue is the result of a dispute about facts. The treaty is clear; the evidence is not. Similar situations have arisen in the past—and been resolved to the satisfaction of the United States. In the mid-1970s, for example, it appeared that the Soviets were constructing new missile silos in violation of the SALT I agreement. To allay U.S. concerns, the Soviet Union gave the United States information demonstrating that the facilities under construction did not contain missiles. Moscow has been unwilling, however, to discuss SALT II-related compliance issues because the United States has refused to ratify the treaty. Meanwhile, President Reagan, in his June 10 statement, declared the SS-X-25 to be an irrevocable violation that "cannot be corrected by the Soviet Union," and reserved the right to an equivalent U.S. violation of SALT II—to build a new type of ICBM of our own.

The third area of compliance controversy is at once the clearest, because the change in Soviet behavior is unambiguous, and the murkiest, because the standards of compliance are ill-defined. It involves the rules for electronic eavesdropping. Both the U.S. and the USSR gather intelligence about the other's missile systems by intercepting the communications (known as telemetry) emitted from missiles during test flights. For example, the United States usually learns about the capabilities of missiles like the SS-X-25 from intercepted telemetry. This data is invaluable, if not indispensable, for verifying that the other side is abiding by the technical provisions of the SALT agreements.

The problem is that these communications can be transmitted in code (a practice known as encryption), thus denying data to the other side. SALT II is maddeningly vague about the practice of encryption. It specifically allows both sides to code their data—unless the coding blocks the other side from verifying the treaty. But the treaty leaves it up to the superpowers to decide for themselves if their verification efforts are being hindered. This unhelpful formula emerged because both superpowers preferred to protect the right to encrypt. And to negotiate more specific limitations would have required disclosing U.S. intelligence capabilities, which the United States understandably wished to avoid.

There is little doubt that the Soviet Union has significantly increased the level of encryption in its missile tests since 1981. The Reagan administration protests that the high level of encryption has interfered with its ability to verify Soviet compliance with SALT accords, and hence constitutes a violation. The Soviet Union claims that its encryption record is consistent with the treaty, and it presses for more specific charges. The haziness of SALT II was probably destined to cause a collision of this sort.

Unlike the SS-X-25 tests, which cannot be undone once conducted, encryption is a correctable violation. In future Soviet missile tests, the extent of encryption could be reduced to acceptable levels. But because SALT II was never ratified by the United States, norms of behavior were never developed to reduce the ambiguity left by the treaty provisions. And with the Soviet Union refusing to discuss such matters in the Standing Consultative Commission, it is impossible to establish mutually acceptable guidelines.

THE REAGAN administration says there are many other cases of Soviet cheating. The most comprehensive of the administration's three public reports on Soviet compliance was released in October 1984 by the President's General Advisory Committee on Arms Control. It identified 17 instances of alleged Soviet cheating, another 15 examples of suspicious Soviet activity about which the evidence is insufficient to claim cheating, and numerous breaches of "the duty of good faith" required by international law.

Careful examination, though, reveals that the report contains only a few allegations of actual cheating on arms control agreements. Most of the report details "circumventions" in which the Soviets violated the spirit rather than the letter of the treaty, or "breaches of unilateral commitments" in which the Soviets changed their stated military plans without breaching their treaty obligations. These actions, like much of Soviet foreign and military policy, are not to our liking but they do not constitute violations of treaties. And in several of the actual violations the Soviets admitted the infraction, but were unable to meet the treaty deadline and eventually did bring themselves into compliance. Thus many of the administration's allegations are just the sort that earlier presidents would have dismissed as misleading or unfounded.

Indeed, the Krasnoyarsk radar station, the SS-X-25, and the coded telemetry are not inherently insoluble problems. But there is little prospect for the two sides to address the issues in ways that are constructive rather than combative. If Reagan finds Soviet violations uncorrectable now, he is not likely to find them corrected by November. What the Soviets deny now they are likely to still be denying at the end of the year. Reagan's decision may well amount to only a temporary stay of execution for SALT II.

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